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*Attorneys for the United States of America*

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

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BNSF RAILWAY COMPANY, on  
behalf of THE UNITED STATES OF  
AMERICA,

Plaintiff/Judgment Creditor,

vs.

THE CENTER FOR ASBESTOS  
RELATED DISEASE, INC.,

Defendant/Judgment Debtor.

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Case No.: 9:25-cv-67-DLC

**JOINT STATUS REPORT**

The parties provide this joint status report and proposed schedule pursuant to the Court's June 27, 2025, Order at Doc. 29:

1. On or before September 15, 2025, the United States will provide its determination of federal property interests to CARD. CARD consents to the United States sharing the determination with BNSF and the Intervenors

Charles B. Black, M.D.; Karen Lee Morrissette, M.D.; Tracy McNew, L.P.N.; Michelle Boltz, A.P.R.N.; and Miles Miller, P.A.

2. On or after September 15, 2025, BNSF may serve CARD with written discovery regarding its assets and financial information to trace grant funds to the assets in the Writ of Execution's Addendum. This includes Interrogatories, requests for production, and requests for admission. CARD will respond to the discovery requests no later than October 30, 2025.
3. BNSF may serve Notices of Deposition of CARD witnesses or any other fact witness identified in discovery at any time after October 30, 2025, including Rule 30(b)(6) witnesses, but all depositions will be taken in December 2025.
4. January 5, 2025: parties will submit a joint status report advising the Court of any resolution(s) between the parties and any unresolved issues. Should any unresolved issues remain, parties may file simultaneous brief regarding proper resolution on January 19, 2026. Reply briefs will be due February 2, 2026. Any hearing set by the Court on the briefs will be scheduled after reply briefs are filed.

In addition to the above schedule, the parties agree that all discovery and depositions can be conducted in the normal and usual course of discovery and not

before the Court or referee, to the extent such may be required by § 25-14-101, M.C.A. The parties agree that the above deadlines may be modified if agreed upon in writing by all parties.

**Disputed Provision**

CARD seeks to reserve the opportunity to request relief from the Court to determine the federal interest in any item of personal property and request a release of that personal property notwithstanding the schedule set out herein. Any party would be able oppose the relief sought. BNSF objects to the inclusion of this provision and any motions regarding the release of assets before the conclusion of the debtor's examination because BNSF will not have the ability to fully assess any claim by CARD or the government that a particular asset was purchased with 100% grant funds. Any evaluation of an asset before discovery and depositions occur would defeat the purpose of the debtor's examination, which is to give the judgment creditor the ability to assess the evidence and conduct its own investigation about what assets are recoverable.

DATED: July 11, 2025.

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DATED: July 11, 2025.